

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
MANHATTAN DIVISION

AM GENERAL LLC,

Plaintiff,

v.

ACTIVISION BLIZZARD, INC.,  
ACTIVISION PUBLISHING, INC., and  
MAJOR LEAGUE GAMING CORP.,

Defendants.

CASE NO. 1:17-cv-08644-GBD

**DECLARATION OF IAN BOGOST, PH.D. IN SUPPORT OF  
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

I, Ian Bogost, Ph.D., hereby declare as follows:

1. I have been retained as an expert witness on behalf of Defendants Activision Blizzard, Inc., Activision Publishing, Inc., and Major League Gaming Corp. (collectively, "Defendants") in the above-captioned matter. I submit this declaration in support of Defendants' Motion for Summary Judgment. I have personal knowledge of the facts set forth herein, which are known by me to be true and correct, and if called as a witness, I could and would competently testify thereto.

2. Attached as **Exhibit A** is a true and correct copy of my April 15, 2019 expert report in this matter pursuant to Fed. R. Civ. P. 26(a)(2)(B), including Appendices A and B and Exhibits 1-5, 7-9, and 11-16 thereto. I understand that videos provided in connection with my expert

report (including in Exhibits 6, 10, and 12) are being supplied to the Court concurrently via the Declaration of James Berkley. The attached report is incorporated herein as though set forth in full. I hold the opinions set forth therein in full, and if called as a witness could and would competently testify thereto.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 29<sup>th</sup> day of May 2019 at Atlanta, Georgia.



Ian Bogost, Ph.D.